

# HOUSE BILL No. 1449

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-13-6.

**Synopsis:** Fire partitions. Requires newly constructed and remodeled dormitories of private and state colleges and universities and senior housing projects to contain fire partitions.

**Effective:** Upon passage.

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January 18, 2005, read first time and referred to Committee on Public Safety and Homeland Security.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1449

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-13-6 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]:

4 **Chapter 6. Fire Partitions in Senior Housing and Student**  
5 **Housing**

6 **Sec. 1. This chapter applies to a senior housing project or a**  
7 **dormitory that is:**

8 (1) newly constructed; or

9 (2) remodeled or altered, resulting in an increase in the floor  
10 area or height;

11 after June 30, 2006.

12 **Sec. 2. As used in this chapter, "commission" refers to the fire**  
13 **prevention and building safety commission established by**  
14 **IC 22-12-2-1.**

15 **Sec. 3. As used in this chapter, "common areas" means the areas**  
16 **within a building that are normally accessible to all residents,**  
17 **including the corridors, lounge or lobby areas, and areas that**

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1 contain elements of fire hazards, such as boiler rooms.

2 Sec. 4. (a) As used in this chapter, "dormitory" means a  
3 building or a part of a building containing rooms that are provided  
4 as residences for overnight sleeping for individuals or groups. The  
5 term includes a residence or multiple dwelling that is:

6 (1) used by a fraternity or sorority recognized by a university;

7 or

8 (2) owned by a university.

9 (b) The term does not include a residence or multiple dwelling  
10 that is not recognized by or owned by a university.

11 Sec. 5. As used in this chapter, "senior housing project" means  
12 a building or part of a building that:

13 (1) is used for lodging or boarding of at least four (4) senior  
14 residents who are not related by blood or marriage to the  
15 owners or operators of the project, for the purpose of  
16 providing personal care services; and

17 (2) has at least three (3) dwelling units.

18 Sec. 6. As used in this chapter, "senior resident" means an  
19 individual who is at least sixty-two (62) years of age.

20 Sec. 7. As used in this chapter, "university" means the  
21 following:

22 (1) A state educational institution (as defined in  
23 IC 20-12-0.5-1).

24 (2) A private college or private university.

25 Sec. 8. Except as provided in section 9 of this chapter, a  
26 dormitory or a senior housing project must be:

27 (1) of noncombustible fire resistive construction as set forth  
28 in the building law; and

29 (2) constructed with fire partitions located:

30 (A) between each individual living unit to form a fire  
31 compartment; and

32 (B) in all:

33 (i) exit corridors;

34 (ii) enclosed exit stairways;

35 (iii) occupancy separations as set forth in the building  
36 law;

37 (iv) exterior load bearing walls; and

38 (v) interior load bearing walls.

39 Sec. 9. Except as provided in section 10(4) of this chapter, a  
40 dormitory or senior housing project that:

41 (1) contains in the common areas and the areas used for  
42 sleeping an automatic sprinkler system in compliance with the

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building law; and

(2) complies with section 8(2) of this chapter;  
is not required to be of noncombustible fire resistive construction  
but may be of any construction type allowed by the building law.

Sec. 10. The rules adopted by the commission under this chapter  
must provide the following:

(1) An opening in a fire partition in a dormitory or senior  
housing project must be protected with at least a ninety (90)  
minute fire protection rating.

(2) A fire partition in a dormitory or senior housing project  
must have a sound transmission coefficient of at least fifty  
(50).

(3) A dormitory or senior housing project that:

(A) has an automatic sprinkler system; and

(B) complies with section 8 of this chapter;  
may be of unlimited area. If the dormitory or senior housing  
project is remodeled, the dormitory or project may increase  
in building height by twenty-five percent (25%).

(4) A floor assembly in a new dormitory or a new senior  
housing project must:

(A) have at least a two (2) hour fire resistance rating; and

(B) be of noncombustible construction.

Sec. 11. If a dormitory is not owned by the university with which  
it is associated but is recognized by the university, the owner of the  
dormitory is responsible for complying with the requirements of  
this chapter.

Sec. 12. The university or other person that would own a  
dormitory proposed for construction must obtain a design release  
for the dormitory under IC 22-15-3 from the office of the state  
building commissioner before construction of the dormitory.

Sec. 13. The commission shall adopt rules under IC 4-22-2  
necessary to implement this chapter.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this  
SECTION, "commission" refers to the fire prevention and building  
safety commission established by IC 22-12-2-1.

(b) The commission shall adopt rules under IC 4-22-2 to  
implement IC 22-13-6, as added by this act, not later than January  
1, 2006.

(c) This SECTION expires July 1, 2007.

SECTION 3. An emergency is declared for this act.

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